

Docket No. F-7976

Ser. No. 10/673,707

**REMARKS**

Claims 1-6 and 8-16 are now pending in this application. Claims 1-13 are rejected. Claims 1-6 and 8-13 are amended herein to clarify the invention, to express the invention in alternative wording, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues. Claim 7 is cancelled. New claims 14-16 are added.

Applicants herein traverse and respectfully request reconsideration of the rejection of the claims and objection cited in the above-referenced Office Action.

The abstract is objected to on the basis that it exceeds 150 words in length. A replacement abstract is provided herein on a separate page. It is submitted that the replacement abstract is in full conformance with 37 CFR 1.72 and MPEP 608.01(b). No new matter is added. Therefore, reconsideration of the objection to the abstract is respectfully requested.

The title, "RECORDING APPARATUS, REPRODUCING APPARATUS AND RECORDING/REPRODUCING APPARATUS " is objected to in the Office Action as being non-descriptive. The title is amended to read "DIGITAL RECORDING, REPRODUCING AND RECORDING/REPRODUCING APPARATUS," substantially as suggested in the Office Action , to overcome this objection (with the exception of the term "audio," which is omitted as unnecessarily limiting to the invention which is stated as being more broadly directed to "recording a received signal").

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It is therefore respectfully submitted that the amended title is sufficiently descriptive. Applicant respectfully requests that the objection to the title be withdrawn.

Claims 1-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Hoffberg et al. (US 6,640,145). The cancellation of claim 7 herein renders the rejection with respect thereto moot. Applicant herein respectfully traverses these rejections as peratining to remaining claims 1-6 and 8-13. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

The present invention relates to a recording and/or reproducing apparatus which accepts an input at an arbitrary instant that is desired to be set as a position to be searched, and stores recording data in a main memory as discrete files that were divided at that instant of input. In order to carry out file division recording processing during a period of recording, a writing speed to the main memory is set to be faster than a writing speed to a buffer memory.

Independent claim 1 recites in pertinent part:

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a buffer memory for temporarily storing the received signal as digital data;

a storage unit for storing the digital data in a file format;

a memory controller for performing a control causing the digital data temporarily stored in said buffer memory to be stored in said storage unit in the file format; and

a manual input device for inputting a division command for dividing the digital data at an arbitrary instant in order to store the digital data in said storage unit as files divided one from another, while said buffer memory receives the signal continuously; wherein

said memory controller carries out the control in such a manner that the digital data continuously stored in said buffer memory is stored in said storage unit at a writing speed which is higher than a speed at which the digital data is stored in said buffer memory, to thereby allow the digital data continuously stored in said buffer memory to be stored as said files divided

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at the arbitrary instant corresponding to the division  
command from said manual input device.

The claim has been amended to clarify that the manual input device allows inputting of a division command for dividing the digital data at an arbitrary instant in order to store the digital data in a storage unit as files divided one from another, while a buffer memory receives a signal continuously. Independent claim 8 has been similarly amended. It is respectfully submitted that the cited Hoffberg et al. reference fails to teach this feature. While the Examiner stated that the feature of a manual input device has been disclosed in the cited reference (column 107, lines 32 - 37), applicants' can find no teaching or suggestion for the preparation of discrete files on the basis of the accepted division timing. In addition, Examiner's reference to the passage at column 107, lines 8 - 31 relating to compression, is inapplicable to the present invention as claimed, since compression has no relationship with the division approach of the invention claimed.

In view of the above, it is respectfully submitted that claims 1-6 and 8-13 particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 1-6 and 8-13 and their allowance are respectfully requested.

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Claims 14-16 are added and are submitted as patentable over the cited art of record. Independent claim 16 recites subject matter directed to a manual input device for inputting a division command for dividing the digital data at an arbitrary instant in order to store the digital data in said storage unit as files divided one from another, while said buffer memory receives the signal continuously which, among other features recited therein, is not believed disclosed in the cited art in the manner as claimed. Dependent claims 14 and 15 are patentable based on the subject matter recited therein in addition to the subject matter of claim 1.

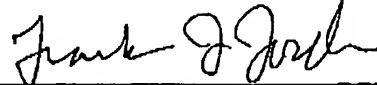
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In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,  
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